

US BANK NATIONAL ASSOCIATION, AS
TRUSTEE, SUCCESSOR IN INTEREST TO
WACHOVIA BANK, NATIONAL
ASSOCIATION AS TRUSTEE FOR WELLS
FARGO ASSET SECURITIES
CORPORATION, MORTGAGE PASS-
THROUGH CERTIFICATES, SERIES 2005-
AR2 AT 4801 FREDERICA STREET,
OWENSBORO, KY 42301, a national
association; WELLS FARGO BANK, N.A., a
national association;

Plaintiffs,

VS.

VILLA VECCHIO CT. TRUST, a Nevada trust; ABSOLUTE COLLECTION SERVICES, LLC, a Nevada limited-liability company; THE FOOTHILLS AT SOUTHERN HIGHLANDS HOMEOWNERS ASSOCIATION, a Nevada non-profit corporation;

Defendants.

Plaintiffs US Bank National Association, as Trustee, Successor in Interest to Wachovia Bank, National Association as Trustee for Wells Fargo Asset Securities Corporation, Mortgage Pass-Through Certificates, Series 2005-AR2 at 4801 Frederica Street, Owensboro, KY 42301

Case No. 2:17-cv-00143-MMD-VCF

ORDER RE:

**STIPULATION AND ORDER TO
WITHDRAW VILLA VECCHIO CT.
TRUST'S RENEWED MOTION TO
DISMISS COMPLAINT**

1 ("US Bank") and Wells Fargo Bank, N.A. ("Wells Fargo" and together with US Bank,
2 "Plaintiffs"), and Defendant Villa Vecchio Ct. Trust ("Villa Vecchio" and together with Plaintiffs
3 and Villa Vecchio, the "Parties"), through their counsel of record hereby stipulate and agree that
4 Villa Vecchio's Renewed Motion to Dismiss Complaint (ECF No. 53) is withdrawn without
5 prejudice. The Parties enter this Stipulation based on the fact that they have stipulated to dismiss
6 Plaintiffs' Third and Fourth Claims for Relief (ECF No. 60) which moots a portion of the Motion
7 to Dismiss. And further, the Parties understand and agree that the arguments raised in the Motion
8 to Dismiss are likely to be raised in briefing on cross motions for summary judgment, due July 31.
9 The Parties thus enter this Stipulation to conserve party and judicial resources by avoiding
10 duplicative briefing, and not to prejudice any party.

11 The Parties respectfully request that the Court grant this Stipulation withdrawing the
12 Motion to Dismiss

13 DATED this 19 day of July, 2019.

14 ROGER P. CROTEAU & ASSOCIATES

15 By: /s/ Roger P. Croteau
16 Roger P. Croteau, Esq.
17 Nevada Bar No. 4958
18 Timothy E. Rhoda, Esq.
19 Nevada Bar No. 7878
20 9120 West Post Road, Suite 100
21 Las Vegas, Nevada 89148
22 Attorneys for Villa Vecchio Ct. Trust

DATED this 19 day of July, 2019.

SNELL & WILMER L.L.P.

By: /s/ Wayne Klomp
16 Alex L. Fugazzi, Esq.
17 Nevada Bar No. 9022
18 Wayne Klomp, Esq.
19 Nevada Bar No. 10109
20 50 West Liberty Street, Suite 510
21 Reno, Nevada 89501
22 Attorneys for US Bank and Wells Fargo

23
24 IT IS SO ORDERED.



25
26 UNITED STATES DISTRICT JUDGE

27 DATED: July 22, 2019